



Central Utah Water Conservancy District

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May 25, 2010

To: Interested Persons, Organizations, and Agencies

Subject: Scoping for the Environmental Assessment for the Block 1A: Heber Sub-Area M&I
Conversion

The Central Utah Water Conservancy District (CUWCD), a political subdivision of the State of Utah, and the U.S. Department of the Interior (Interior), as Joint Lead Agencies, are proposing to convert Central Utah Project (CUP) Bonneville Unit water delivered under Development Block Notice No. 1A (Block Notice 1A) to the Heber sub-area from irrigation to municipal and industrial (M&I) use and to expand the Heber sub-area.

The Joint Lead Agencies initiated the preparation of an Environmental Assessment (EA) to analyze the environmental impacts of a proposed action with a Notice of Intent (NOI) that was published in the *Federal Register* on April 9, 2010.

The need for and purposes of the project are as follows:

The need for the proposed action is to respond to changes in land use within Wasatch County by converting water delivered under Block Notice 1A, Heber sub-area, from irrigation to M&I use and to expand the Heber sub-area delivery area.

The proposed action is intended to achieve the following purposes, which will address the underlying desire for the project to:

- Continue to provide CUP water to petitioners and water contract holders;
- Improve efficiency in water delivery and application;
- Avoid negative impacts to the Wasatch County Water Efficiency Project; and
- Avoid impacts to the groundwater of Wasatch County.

A scoping document has been prepared to present the scope of the proposed Federal action and to obtain comments to determine the significant issues or concerns to be addressed in the EA. The scoping process will assist in the determination of the range of actions, alternatives and impacts to be considered for implementation, and analyzed in the EA. The EA is required by the National Environmental Policy Act (NEPA) and Council of Environmental Quality (CEQ) regulations implementing NEPA, to determine whether the Proposed Action would have a significant effect on the quality of the

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human environment. The EA will analyze the impacts of a Proposed Action, the No Action Alternative, and any other alternatives determined to be appropriate for analysis.

The EA will examine the Proposed Action and provide sufficient evidence and analysis to determine whether an Environmental Impact Statement (EIS) is needed.

A scoping meeting will be held on June 16th from 6 p.m. to 8 p.m. in Heber City, Utah at the WCWEP Field Office, 626 E. 1200 S. from 6 p.m. to 8 p.m.

The purpose of the scoping meeting is to present the scope of the project, answer questions, and receive your comments. You don't need to attend the scoping meeting to submit comments. You may send written comments via email to bridget@cuwcd.com or mail to:

Bridget Atkin
Central Utah Water Conservancy District
355 W. University Parkway
Orem, Utah 84058

Please provide your written comments by July 16, 2010.

Your interest in this project is appreciated. You may direct questions regarding this project to Bridget Atkin at (801) 226-7166.

Sincerely,



Sarah Sutherland
Environmental Programs Manager

Enclosure

SCOPING DOCUMENT
For
Block 1A: Heber Sub-area M&I Conversion

Introduction

The Central Utah Water Conservancy District (CUWCD) and the U.S. Department of the Interior (DOI), as Joint Lead Agencies, are proposing to convert Central Utah Project (CUP) Bonneville Unit water delivered under Development Block Notice No. 1A (Block Notice 1A) to the Heber sub-area from irrigation to municipal and industrial (M&I) use and to expand the Heber sub-area. The conversion involves up to 12,100 acre-feet of irrigation water that was developed to provide supplemental irrigation water to commercially-viable, agricultural tracts that have been deemed irrigable under U.S. Bureau of Reclamation law. Up to 12,100 acre-feet could be converted incrementally to M&I use over a period of up to 25 years. The expanded Heber sub-area would be restricted to lands in Wasatch County, within the CUWCD boundary, in the Provo River drainage, above Deer Creek Reservoir, excluding federally owned land within the National Forest boundary.

With a Notice of Intent (NOI) published in the Federal Register on April 9, 2010, the Joint Lead Agencies initiated the preparation of an Environmental Assessment (EA) that will analyze and describe the environmental impacts of the proposed action.

This scoping document is preliminary to the preparation of the EA. The purpose of the scoping document and the associated public scoping open house is to present the scope of the proposed Federal action and to obtain public comment in order to determine the significant issues to be addressed in the EA. The scoping process will assist in the determination of the range of actions, alternatives, and impacts to be considered in the EA. The EA is required by the National Environmental Policy Act (NEPA) and Council on Environmental Quality (CEQ) regulations implementing NEPA to determine whether the Proposed Action would have a significant effect on the quality of the human environment. The EA will analyze the impacts of the Proposed Action, a No Action Alternative, and any other alternatives determined to be appropriate for analysis.

The EA will examine the Proposed Action and provide sufficient evidence and analysis for determining whether an EIS is needed.

Project Background

The Bonneville Unit of the CUP was authorized to develop a portion of central Utah's water resources. Under the authority of the Central Utah Project Completion Act (P.L. 102-575), the Secretary of the Interior oversees implementation of the CUP and has authority to convert CUP water from irrigation to M&I use in accordance with the provisions of the 1965 Repayment Contract, Contract No. 14-06-400-4286, between the CUWCD and the United States. Current and proposed changes in land use in Wasatch County, Utah, have resulted in a request made by Wasatch County Special Service Area No. 1 to initiate the process for water use conversion from irrigation to M&I use.

Reclamation law dictates that subsidized project irrigation water can only be applied to commercially-viable agricultural tracts above two acres in size. Under Reclamation law, the irrigation of small tracts is considered M&I use. As large agricultural tracts are sub-divided, these lands are no longer eligible to receive project irrigation water; if they are to be irrigated by project water, it must be M&I water. With the conversion to M&I use, project water could be applied to lands that were not classified as irrigable lands under Reclamation law and therefore were not eligible to receive project water.

Need for Action

The need for the proposed action is to respond to changes in land use within Wasatch County by converting water delivered under Block Notice 1A, Heber sub-area, from irrigation to M&I use and to expand the Heber sub-area delivery area.

Project Purposes

The proposed action is intended to achieve the following purposes, which will address the underlying desire for the project to:

- Continue to provide CUP water to petitioners and water contract holders;
- Improve efficiency in water delivery and application;
- Avoid negative impacts to the Wasatch County Water Efficiency Project;
- Avoid impacts to the groundwater of Wasatch County

Authorizing Actions

Based on an environmental analysis, the responsible officials for CUWCD and DOI will make the following decisions:

- Should water delivered under Block Notice 1A to the Heber sub-area be converted from irrigation to M&I use in the Heber sub-area?
- Should the Heber sub-area be expanded?
- Which lands will be eligible to receive Block Notice 1A water delivered for M&I purposes?
- If the Heber sub-area water is converted to M&I use, could it be used on CUWCD land in Wasatch County that was addressed in the Block Notice No. 1A: Francis Sub-Area M&I Water Conversion EA?
- Under what terms and conditions will water users receive the Block Notice 1A water delivered for M&I use?
- Where will the diversion points be for Block Notice 1A water delivered for M&I use?

Description of the Proposed Action

The Proposed Action is to allow the conversion of up to 12,100 acre-feet of CUP Bonneville Unit water, delivered under Block Notice 1A and allotted to the Heber sub-area, from irrigation to M&I use and to expand the Heber sub-area. The Wasatch County Special Service Area No. 1 has requested the initiation of the conversion process. The process for conversion involves preparing an EA to analyze the potential impacts on the human environment from the proposed project (See attached maps). Block Notice 1A would need to be amended to reflect this conversion. The result of the conversion process would be that up to 12,100 acre-feet of CUP M&I water could be available at an unsubsidized rate under Reclamation law. The water would be for use on small tracts or elsewhere in the expanded Heber sub-area as M&I water. The converted M&I water could be delivered to areas in Wasatch County that were addressed in the EA for Block Notice No. 1A: Francis Sub-Area M&I Conversion.

Throughout this process, CUP water not converted would continue be delivered to existing contract holders. The conversion process would not affect other water deliveries.

The conversion should improve efficiency in the application of water as water users face the full cost of the development of the water. Any incentive toward over-application of water created by the subsidy may be removed. Also, the increased rate may encourage investment in avoiding waste.

The conversion will improve efficiency in delivery. As large tracts have been sub-divided in recent years, project water has remained in Jordanelle Reservoir instead of being delivered through canals and other conveyances because the water could no longer be provided to small tracts. As a result, there was less water in the conveyances resulting in less efficient operation. The conversion will allow project water to remain in these conveyances.

Converting the water to M&I use would assist in maintenance of historic return flows by allowing for use on small tracts of land that are currently ineligible to receive water. This action could also allow use through secondary systems which would continue to provide for historic application practices on smaller tracts of agricultural land that have been developed into subdivisions. This use is not allowed at this time.

The conversion will increase administrative efficiency by reducing the need to monitor the application of irrigation water. With project irrigation water, resources are expended to be sure that water is only applied to eligible lands. Part of this monitoring involves the filing of Reclamation Reform Act forms. After conversion, these administrative requirements no longer apply.

It is anticipated that possible water delivery options would include: existing Wasatch County Water Efficiency Project (WCWEP) facilities, current and future secondary systems, current or future treatment plants, or exchange to underground wells.

Other Related Projects

When the CUP water supply for the Heber sub-area was being planned, the allocation was intended to supplement irrigation supplies for multiple Heber Valley irrigation companies. These companies’ supplies have been supplemented by the CUP supply. However, due to restrictions placed on project water provided for irrigation use under Reclamation law, many of the small-tract water users, and other water users, are no longer eligible to receive the supplemental CUP water. The proposed conversion will allow for continued use of the supplemental CUP water by the companies and their shareholders.

No Action Alternative

Under the No Action Alternative, water would continue to be delivered in accordance with Reclamation law and existing contracts. This would result in some water that is not eligible for delivery. Water that could not be delivered to small tracts in the Heber sub-area would remain in Jordanelle Reservoir. The need to respond to changes in land use will not be met nor will the full ability to meet the project purposes.

There would be no need to expand the Heber sub-area delivery area because there are no new lands that qualify for project irrigation water according to Reclamation law.

Affected Environment and Environmental Consequences

The EA will describe the affected environment (baseline conditions), or the resources of the human environment, that would be impacted by the implementation of the Proposed Action, as well as by the continuation of the existing conditions expected under the No Action Alternative. The EA will also document the anticipated environmental consequences of the proposed action on the quality of the human environment. Baseline conditions are the existing physical conditions of the impacted resources in the impact area of influence. The human environment will be defined in the EA, as will all of the environmental resources, including socioeconomic conditions, occurring in the impact area of influence.

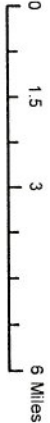
It is envisioned that the following resources would be addressed in the EA:

- Water Resources, Water Rights, and Water Quality;
- Fish and Wildlife Resources;
- Wetlands;
- Threatened or Endangered Species;
- Cultural Resources;
- Socioeconomics;
- Prime and Unique Farmlands;
- Vegetation and Invasive Species;
- Land Use Plans and Conflicts;
- Indian Trust Assets;
- Environmental Justice;
- Climate Change

NEPA Process

Following a 30-day scoping comment period, the Joint Lead Agencies will review all scoping comments received and will take those comments, and other pertinent information, into consideration in preparing a draft EA. The draft EA will then be made available to the public for a 30-day review and comment period. Comments received on the draft EA will be considered in preparing the final EA. If the final EA shows that there may be significant impacts to the human environment, an Environmental Impact Statement (EIS) would be necessary in order to further analyze whether to proceed with the proposed action. If the final EA shows no significant impacts, then a Finding of No Significant Impact (FONSI) will be drafted and signed by the Joint Lead Agencies and distributed along with the final EA to the interested public.

Wasatch County Agricultural Water Conversion

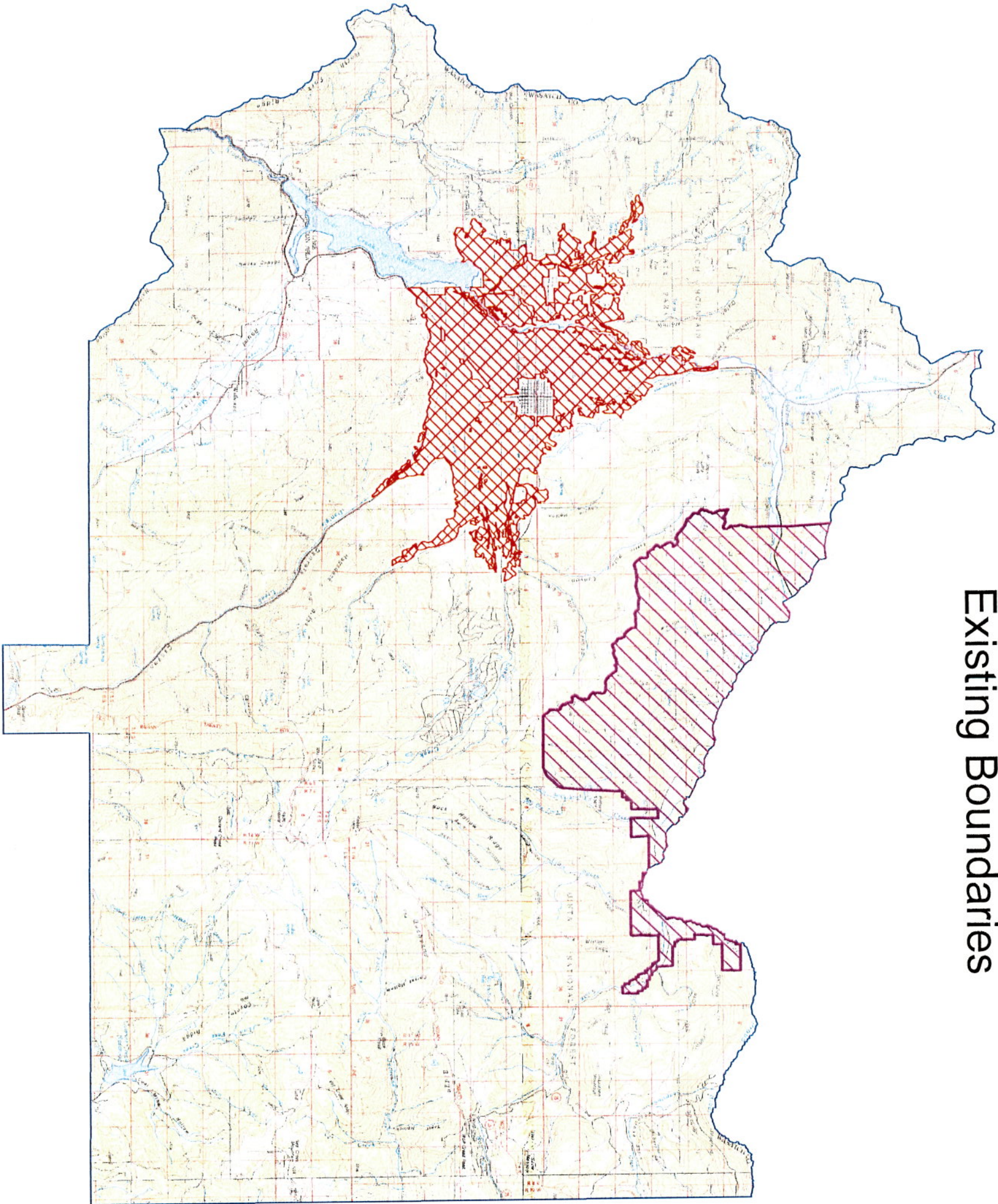


Existing Boundaries

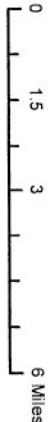
Legend

 Francis Sub Area (Wasatch County)

 CUP Irrigable Acres - Heber Valley



Wasatch County Agricultural Water Conversion



Proposed Boundaries

Legend

 Francis Sub Area (Wasatch County)

 Proposed Conversion Boundary

